

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(oracle01.013)

5 **Applicant:** Alpern, et al. **Confirmation No.:** 7766
 Application No: 09/881,501 **Group Art Unit:** 2161
 Filed: 6/14/01 **Examiner:** E.P. Leroux
10 **Title:** *Redirection of misses in queryable caches*

15 Commissioner for Patents
 Alexandria, VA 22313-1450

Statement of Relevance for an IDS under 37 C.F.R. 1.97(c)

20 The above patent application is presently under appeal. The IDS which accompanies this
 Statement of relevance contains a single reference, 6,466,936, Ronström, *Method for load*
 regulation, filed Nov. 24, 1999 and claiming priority from a Swedish application filed Nov. 26,
 1998 (henceforth "Ronström"). Ronström has been cited in the prosecution of USSN
 09/294,656, Cusson, et al., *Web Servers with queryable dynamic caches*, filed 4/19/1999, and
 USSN 09/881,537, *Authenticating sessions in queryable caches*, filed 6/14/2001. Both
25 applications are commonly owned with the present application and have subject matter which is
 closely-related to that of the present patent application. USSN 09/881,537 is currently also
 under appeal.

Ronström as a disclosure of a "distributed database system"

30 During the prosecution and appeal of the present patent application, Examiner has cited US
 Patent 6,243,715, Bogantz, *Replicated database synchronization method whereby primary*
 database is selected, queries to secondary databases are referred to primary database, primary
 database is updated, then secondary databases are updated, issued June 5, 2001, as disclosing a
 distributed database system. Ronström has been cited to the same effect in the prosecution and
35 appeal of USSN 09/881,537. Why Ronström is not a distributed database system as that term is
 used in Applicants' claims was set forth in detail at page 14, line 7-bottom of Applicants'
 response of June 30, 2006 in USSN 09/881, 537 to Examiner's final rejection:

The issue between Examiner and Applicants with regard to this rejection is whether
Ronström in fact discloses "a distributed database system of the class wherein a

database system in the distributed database system redirects an operation to be performed for a user to another database system in the distributed *database system*". Put another way, the issue is whether Ronström's database nodes are themselves database systems. Evidence that speaks against such an interpretation includes the following:

- Ronström's disclosure always speaks of database nodes in a distributed database, never of database systems in a distributed database.
- Col. 10, lines 42-57 of Ronström indicates that parts of a table in the distributed database may be stored in different nodes. This indicates that the metadata for the database describes data that may be stored in any of the nodes, i.e., that the nodes do not have their own metadata and are therefore not themselves database systems.
- There is no indication in Ronström that redirection involves anything other than forwarding the request from the receiving node to the serving node, i.e., any authentication is done at a level above the nodes, which would indicate that the nodes are not themselves database systems.
- The fact that a node may "borrow" slots in queues belonging to other nodes. This suggests that the nodes are very tightly coupled, and consequently much more likely to be non-database system components of a database system than database systems in their own right.

Since Ronström in fact appears to disclose a distributed database that has a plurality of nodes, rather than the distributed database system of Applicants' claims, the reference does not show the added limitations of claims 16 and 19 and consequently, these claims and the claims dependent on them are patentable in their own rights over the references.

In terms of relevance to the present appeal, Ronström is thus merely cumulative of Bogantz and neither reference discloses Applicants' "distributed database system that includes a plurality of database systems".

Included with this IDS is the required fee of \$180.00 under 37 C.F.R. 1.17(p). Please charge any additional fees required for the IDS or refund any overpayments to deposit account number 501315.

Respectfully submitted,

/Gordon E. Nelson/

Attorney of record,
Gordon E. Nelson
57 Central St., P.O. Box 782
Rowley, MA, 01969,
Registration number 30,093
Voice: (978) 948-7632
Fax: (866) 723-0359

10/14/2008

Date

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	09881501
Filing Date	2001-06-14
First Named Inventor	Alpern
Art Unit	2161
Examiner Name	Leroux, Etienne Pierre
Attorney Docket Number	oracle01.013

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☒ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Gordon E. Nelson/	Date (YYYY-MM-DD)	2008-06-20
Name/Print	Gordon E. Nelson	Registration Number	30093

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.